



USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

26. Zoning Inspection and Zoning Appropriateness Permits

(See Zoning Ordinance § 78-202.9, Zoning Inspection Permits, and § 78-202.10, Zoning Appropriateness Permits)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

What is the purpose of requiring a Zoning Inspection Permit or Zoning Appropriateness Permit?

Zoning Inspection Permits and Zoning Appropriateness Permits are issued for land uses. They are required prior to occupancy of premises to ensure that the uses specified in the applications are compatible with the zoning designation of the land on which the uses are located. They also ensure that neighboring properties are not adversely affected by a non-permitted use.

Who determines the land uses for each zoning district?

Each parcel of land within the Town has been given a zoning district designation. The districts are detailed in Article III of the Zoning Ordinance. In each district, certain uses may occur and they fall into three categories: permitted, accessory or temporary. See Article IV of the Zoning Ordinance for detailed descriptions of the uses and to view tables specifying which uses are allowed in each district.

What are the differences between a Zoning Inspection Permit and a Zoning Appropriateness Permit?

An application for a Zoning Inspection Permit is required for all home-based businesses, temporary uses for which a temporary use permit is required, and bed and breakfast establishments. A detailed explanation can be

found in § 78-202.9 of the Zoning Ordinance. A Zoning Inspection Permit requires an on-site inspection by a Zoning Inspector prior to its approval.

Zoning Appropriateness Permits do not require an inspection. The application will be reviewed by the Zoning Administrator. Zoning Appropriateness Permits are required for all new commercial businesses, relocated businesses and renamed businesses and prior to the installation of an accessory food preparation area in any residential structure.

What are the requirements for obtaining a Zoning Inspection Permit or Zoning Appropriateness Permit?

- Check with the Zoning Administrator to be sure that the use is permitted.
- Complete and submit an application.
- Submit proof that real estate taxes have been paid.
- If any construction or building alterations occurred, submit proof that all building inspections have been conducted and approved.

Some uses requiring the issuance of a Zoning Inspection Permit will require additional information, such as temporary uses, as noted in § 78-202.6(c)(6) of the Zoning Ordinance.

Who is responsible for obtaining the required information and providing it to the Town?

The land owner or manager of a project must provide the required information for the Zoning Inspection Permit.

The tenant/lessee should discuss the requirements for obtaining a Zoning Appropriateness Permit with the leasing agent or owner of the building, as oftentimes, the lessee will not know if the taxes have been paid or if building inspections have been approved. Failure to obtain this information may result in denial of the application.

Are any fees required to obtain a Zoning Inspection Permit or Zoning Appropriateness Permit?

There is no fee for a Zoning Appropriateness Permit. There is an application and inspection

fee of \$25 for the Zoning Inspection Permit for all home- based businesses and for certain temporary uses (See User Guide #24, *Temporary Uses, Special Events.*)

How long are the Zoning Inspection Permits and the Zoning Appropriateness Permits valid?

As long as the use continues as originally approved, is in compliance with all provisions of the Town Code, and remains at the designated location, the permit is valid. ***A Zoning Appropriateness Permit expires after six months if the establishment has not opened to the public or the associated business license has not been issued.***

Need more information?

Have a question regarding the application process for Zoning Inspections or Zoning Appropriateness Permits? Call or make an appointment to see a member of staff in the **Department of Community Development at 703-787-7380.**

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850.**

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

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